


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

FILED BY  D.C.
2001 JAN -9 AM 10:12
CLERK U.S. DIST. CT.
S.D. OF FLA.-FTL

STACY WHEELER,

Plaintiff,

v.

CASE NO.: 00-06020-CIV-FERGUSON/SNOW


DR. MOHSIN JAFFER,

Defendant.

MOTION FOR ENLARGEMENT OF TIME

Plaintiff, STACY WHEELER, by and through undersigned counsel and pursuant to the Federal Rules of Civil Procedure and the local rules of this Court, hereby request an extension of time within which to respond to Defendant's Emergency Motion for Protective Order and in support thereof states as follows:

1. Defendant served an Emergency Motion for Protective Order on December 29, 2000.
2. Under the Federal Rules of Civil Procedure and the local rules of this Court, Plaintiff's response would be due on January 15, 2001.
3. On January 3, 2001, this Court entered an Order requiring a response to the Emergency Motion for Protective Order on January 8, 2001, one week earlier than the original date.
4. The Court mailed the order to counsel for Plaintiff on January 4, 2001. The order was not received by Plaintiff's counsel until late in the day on January 5, 2001, in essence leaving one business day within which to serve and file a response.
5. In addition to the short time frame within which to prepare a response, there is also an offer of judgment pending from Defendant which Plaintiff has now decided to accept. The acceptance of the offer of judgment moots the issue of whether depositions previously scheduled



by Plaintiff should go forward on the date scheduled and agreed to by Defendant. No depositions will need to be taken as this case will be resolved pursuant to the offer of judgment as soon as the appropriate paper work can be completed. See letter attached hereto as Exhibit "A" accepting offer of judgment.

6. Therefore, Plaintiff respectfully requests that an indefinite extension of time be granted so this case may be resolved or, in the alternative, that the Court find that Defendant's Emergency Motion for Protective Order to change the dates of depositions that the parties had originally agreed to be deemed moot.

WHEREFORE, Plaintiff respectfully requests that the Court grant the relief requested above.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was sent by U.S. Mail to Osnat K. Rind at 6950 N. Kendall Drive, Miami, Florida 33156 on this 9 day of January, 2001.

Nanci S. Landy, Esq.
ALTSCHUL, LANDY & COLLIER, P.A.
2700 S. Commerce Pkwy, Suite 305
Weston, Florida 33331
Tel.: (954) 384-9934
Fax.: (954) 384-9935

BY: 

Nanci S. Landy, Esq.
Florida Bar No.: 817971

EXHIBIT “A”

ALTSCHUL & LANDY, P.A.

ATTORNEYS AT LAW

PLEASE REPLY TO MAIN OFFICE:

WESTON CORPORATE CENTRE
2700 S. COMMERCE PKWY., SUITE 305
WESTON, FLORIDA 33331
(954) 384-9934 • FAX (954) 384-9935

MIAMI OFFICE:

NATIONSBANK TOWER, SUITE 3920
100 S.E. SECOND STREET
MIAMI, FLORIDA 33131

January 8, 2001

Osnat K. Rind, Esq.
Phillips, Richard, Rind & Navarrete, P.A.
6950 N. Kendall Drive
Miami, FL 33156

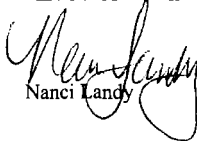
Re: Wheeler v. Jaffer

Dear Osnat:

My client accepts the offer of judgment propounded on December 21, 2000. Please prepare the appropriate paperwork. I expect that this will be resolved expeditiously and that I will have the settlement checks within ten days.

Sincerely,

ALTSCHUL & LANDY, P.A.



Nanci Landy